

REMARKS

In the final Office Action mailed on January 16, 2004, claims 1-12, 16-20, and 22-23, were rejected under 35 U.S.C. §102(e) as anticipated by Schnarel et al. (US Patent No. 6, 389, 124). Claims 24 and 25 were objected to as being dependent upon a rejected base claim but were indicated to be allowable if rewritten in independent form. The pending claims have been cancelled, amended, and presented in independent form as new claims herein to overcome the rejections and objections. It is sincerely believed that all of the remaining claims in their current form are allowable. The amendments and new claims presented herein should not require a new search by the Examiner and should therefore be entered.

Claims 1-15 have been cancelled. Claims 16 and 17 have been amended herein to depend from new independent claim 27. New claim 27 represents objected to claim 25 rewritten in independent form. Claim 19 has been cancelled.

Independent claim 20 stands as anticipated by the Schnarel et al. reference. It is respectfully submitted, however, that claim 20 includes elements not disclosed by the Schnarel reference and is therefore allowable. For example, claim 20 recites a computer program product that causes a computer to generate a selection interrupt upon selection of a particular record from a visual display, and to respond to the selection interrupt by playing a recorded message corresponding to the particular record. It is respectfully submitted that the Schnarel reference does not disclose a computer program that causes a computer to perform these steps. The anticipation rejection of claim 20 is therefore improper and should be withdrawn.

Claims 21-25 have been cancelled herein. New claims 26 and 27 have been presented for consideration and represent original claims 24 and 25 rewritten in independent form. These new claims overcome the objections to original claims 24 and 25, and are therefore allowable.

New claim 28 has also been presented for consideration. New claim 28 represents original claim 23 rewritten in independent form for convenience of consideration. Claim 23 was rejected as anticipated by the Schnarel reference. It is respectfully submitted that newly presented claim 28 is not anticipated by the Schnarel reference because it recites elements not disclosed by the Schnarel reference. For example, independent claim 28 recites that at least some of the plurality of incoming phone calls include video data and recites a step of recording a message that includes video data from at least one of the plurality of incoming phone calls. The Schnarel reference makes no such disclosure. As a result, it is respectfully submitted that the anticipation rejection of claim 23 was improper and that independent claim 28, which represents claim 23 rewritten in independent form, is allowable.

New claims 29-31 have also been presented for consideration. These claims represent original claims 16-18, respectively, rewritten to depend from new independent claim 26. Because claim 26 is allowable, these new claims depending therefrom are also allowable.

In conclusion, it is respectfully submitted that all claims left pending are allowable in their present form. Claims that were previously objected to have been rewritten in independent form. Other claims have been amended to depend from new independent claim 27, and new claims have been presented that depend from new independent claim 26.

Previously presented claim 20 is respectfully submitted to be allowable over the cited reference. Finally, new claim 27 represents original claim 23 rewritten in independent form for convenience of consideration, and is respectfully submitted to be allowable.

The amendments, remarks, and new claims presented herein have been done so in a sincere effort to gain the allowance of the remaining claims and/or to more clearly reflect the invention for appeal. The amendments and newly presented claims should not require a new search and should therefore be entered. It is believed that all matters that require attention before allowance can be issued have been attended to, and timely allowance is respectfully requested. Should the Examiner feel that there are any issues remaining to be addressed in this manner before a notice of allowance can be issued, the Applicant's undersigned attorney respectfully requests the favor of a phone call to discuss the same.

Finally, it is noted that the drawings were not objected to or accepted in either of the July 31, 2003 or the January 16 Office Actions. It is assumed that the drawings as filed have been accepted. Confirmation is requested.

Respectfully submitted,

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